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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/695,975	10/29/2003	Eric R. Weaver	1442.3	7991
22497	7590	09/26/2007		
LARSON AND LARSON 11199 69TH STREET NORTH LARGO, FL 33773			EXAMINER HU, JINSONG	
			ART UNIT 2154	PAPER NUMBER
			MAIL DATE 09/26/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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**Office Action Summary**

Application No.

10/695,975

Applicant(s)

WEAVER, ERIC R.

Examiner

Jinsong Hu

Art Unit

2154

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --****Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 April 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>4/30/04</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Claims 1-16 are presented for examination.
2. Claim 14 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

A. The claim language in the following claims is not clearly understood.

As per claim 14, it is uncertain the meaning of "at least one computer includes a first computer and a second computer". Correction is required.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-3 and 13-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Knight et al. (US 6,778,982).

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5. As per claims 1-3 and 15-16, Knight teaches a method for converting Internet messages for publishing [abstract], the steps of the method comprising:

providing at least one computer coupled to the Internet, providing a first message database [i.e., database which store the raw content] on the at least one computer [col. 3, line 64 – col. 4, line 27; col. 9, lines 38-67; col. 21, lines 55 – 67];

posting a message on the first message database for access by users of the Internet, permitting the users of the Internet to respond to the first message by posting subsequent messages to the first message database on the at least one computer [col. 3, line 64 – col. 4, line 27; col. 8, line 66 – col. 9, line 7; col. 9, lines 38-67; col. 13, lines 6 – 40; col. 21, lines 55 – 67];

providing a second message database [i.e., 570, 580-582, Fig. 5-5A; ] on the at least one computer, providing a protocol for interfacing the first and second databases, establishing a set of rules for the protocol which permits the users of the Internet to retrieve specific messages from the first database, importing the retrieved specific messages from the first database to the second database by utilizing the interfacing protocol [col. 3, line 64 – col. 4, line 27; col. 9, lines 38-67; col. 21, lines 55 – 67];

editing the retrieved messages in the second database in a predefined structure; and outputting the predefined edited retrieved messages in a published format [col. 5, lines 8-53; col. 10, lines 1-65; col. 22, lines 1-58; col. 25, lines 30-43; col. 27, lines 17-44].

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6. As per claims 13 and 14, Knight teaches the steps of interfacing the second database with a publisher; and transferring the predefined edited retrieved messages to the publisher [i.e., the messages can be printed out from the database, col. 27, lines 36-44].

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 4-12 rejected under 35 U.S.C. 103(a) as being unpatentable over Knight et al. (US 6,778,982) as applied to claims 1-3 and 13-16 above, in view of Noveck et al. (US 6,823,363).

9. As per claims 4-5 and 7-10, Knight teaches the invention substantially as claimed in claim 1. Knight does not specifically teach a moderator for controlling retrieving messages editing and outputting, membership of all users etc steps. However, Noveck on the other hand teaches a moderator controlling retrieving messages editing and outputting, membership of all users etc. steps [col. 5, line 56 – col. 6, line 67; col. 7, line 16 – col. 8, line 47]. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to add Noveck's moderator in Knight's system because

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it is a well-known feature in the art for managing a message board on a network community.

10. As per claim 6, Knight teaches the membership permits users of the Internet having access to the second database to communicate with one another [col. 13, lines 6-40; col. 27, lines 34-44].

11. As per claims 11 and 12, Knight teaches the invention substantially as claimed in claim 1. Knight does not specifically teaches the step of providing a virtual trash can for retaining deleted data, the virtual trash can located on the at least one computer and retrieving deleted data located in the virtual trash can. However, Noveck on the other hand teaches the step of providing a virtual trash can for retaining deleted data, the virtual trash can located on the at least one computer and retrieving deleted data located in the virtual trash can [col. 6, lines 17-67]. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to add Noveck's virtual trash can in Knight's system because it is a well-known feature in the art for organizing messages for network community.

### ***Conclusion***

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

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Teibel et al. (US 6,363,427), Boberson et al. (US 6,209,100), Christie et al. (US 2002/0065827), Uomini (US 5,819,269), and Koch et al. (US 6,968,362) disclose message board system.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jinsong Hu whose telephone number is (571) 272-3965. The examiner can normally be reached on 8:00 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached on (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to be 'Jinsong Hu', with a stylized, cursive script.

Jinsong Hu

September 14, 2007